



Program Management Office
1000 Westinghouse Drive, Suite 380
Cranberry Township, Pennsylvania 16066

May 23, 2013

Project Number 694

OG-13-204

Secretary, U.S.
Nuclear Regulatory Commission,
Washington, DC 20555-0001
Attn: Rulemakings and Adjudications Staff

Subject: Docket ID NRC-2012-0299; 10 CFR Parts 50 & 52, Station Blackout Mitigation Strategies; Draft Regulatory Basis and Draft Rule Concepts; Request for Comment (78 *Fed. Reg.* 69), (PA-LSC-0973R0)

Reference: (1) Docket ID NRC-2012-0299; 10 CFR Parts 50 & 52, Station Blackout Mitigation Strategies; Draft Regulatory Basis and Draft Rule Concepts; Request for Comment (78 *Fed. Reg.* 69)

The Pressurized Water Reactors Owners Group (PWROG) submits the following comments on the subject draft regulatory basis document and draft rule concepts regarding station blackout mitigation strategies (Reference 1). We welcome the opportunity to provide comments on this draft regulatory basis and draft rule concepts document.

The PWROG comments are provided in the attachment to this letter.

We look forward to continued involvement in the public process regarding this important rulemaking. If you have any questions regarding these comments, please contact me at 205.992.7037 or via email at njstring@southernco.com.

Sincerely,



N. Jack Stringfellow, Chairman
PWROG

NJS:rfn

Attachment: PWROG Comments on NRC Station Blackout Mitigation Strategies; Draft Regulatory Basis and Draft Rule Concepts;

cc:	PWROG Executive Management Group	D. Olinski, Westinghouse
	PWROG Management Committee	J. Gresham, Westinghouse
	PWROG PMO	B. Schomaker, Areva
	PWROG Steering Committee	J. Rowley, US NRC
	PWROG Licensing Subcommittee	J. Andrachek, Westinghouse
	PWROG Risk Management Subcommittee	J. Moorhead, Westinghouse
	PWROG Procedures Subcommittee	L. Tosatto, Westinghouse
	J. Moorehead, Westinghouse	S. Bauer, NEI

PWROG Comments on Station Blackout Mitigation Strategies;
Draft Regulatory Basis and Draft Rule Concepts

General Comments:

The PWROG believes this is an adequate regulatory basis to proceed with rulemaking. We also believe that incorporating Recommendation 7 in this rulemaking effort will provide an opportunity to ensure that the spent fuel pool level instrumentation is treated the same as the equipment used in the mitigating strategies Order.

It is recommended that the term “portable” be used consistently when referring to the temporary equipment that would be utilized for the mitigation strategies, and that the term “design” be clarified that it only applies to the portable equipment, versus permanently installed SSCs.

Specific Comments:

1. The wording: “in any mode:” in the last bullet on page 6 should be revised to “whenever there is irradiated fuel in the reactor or in the spent fuel pool,” in order to preclude any confusion with the defined term as used in the plant Technical Specifications.
2. The wording: “in each mode (as defined by technical specifications for each unit)” should be deleted and replaced with “whenever there is irradiated fuel in the reactor or in the spent fuel pool.” in item 2 in the Mitigating Strategies Discussion on page 32. See comment 1.
3. In item 8 of the Mitigating Strategies Discussion on page 32, the word “integrate” should be replaced with “ensure clear command and control associated with the transitions from the emergency operating procedures, extensive damage mitigation guidelines, and new mitigating strategies to the severe accident mitigation guidelines. Clear transitions, i.e., integration, between these guidelines currently exists, and will be maintained.
4. Revise the first sentence in the second paragraph on page 33 from: “The NRC currently intends to require that mitigation strategies be developed such that they can be implemented “in all modes,” and the NRC would simply refer the licensee’s existing technical specifications to define what “mode” means.” to state: “The NRC currently intends to require that mitigation strategies be developed such that they can be implemented whenever there is irradiated fuel in the reactor or in the spent fuel pool.” See comment 1.
5. It is recommended that the design requirements for the portable equipment be contained in the associated supporting guidance, as opposed to the new regulation, as discussed in the first paragraph of the Design Requirements discussion on page 33. This approach is consistent with the current regulations and associated guidance, with respect to that level of detail.
6. The wording: “sufficient sets of portable equipment...” should be revised to: “N+1 sets of portable equipment” in item 5 of the Design Requirements discussion on page 33. This is consistent with NEI 12-06, and endorsed by JLD-ISG-2012-01.
7. The wording: “multiple sets of equipments stored in...” should be revised to: “N+1 sets of equipment stored in...” in line 12 of the first paragraph on page 34. See comment 6.
8. With regard to the Control of Changes discussion on pages 35 and 36, 10 CFR 50.54(p) and (q) discuss that changes to the Security Plan and Emergency Plan cannot be made without prior NRC review and approval if the changes would reduce the effectiveness of

PWROG Comments on Station Blackout Mitigation Strategies;
Draft Regulatory Basis and Draft Rule Concepts

the plan. This approach can also be used for evaluating changes to the mitigating strategies, and equipment used for those strategies. 10 CFR 50.54(p) and (q) also discuss the evaluations associated with changes to the plan, and the retention of records of the changes. A similar approach could be utilized for the Control of Changes.

9. The discussion on “Link with the Current 10 CFR 50.63 Requirements” on page 36 discusses the NRC’s preferred approach of linking 10 CFR 50.63 with the proposed rule. The document states “At the implementation level, the mitigation strategies would connect into the emergency operating procedure for station blackout conditions. Specifically, when operators are not able to restore ac power from either offsite or onsite power sources, operators would presumably take actions to implement the mitigation strategies. Accordingly, linking the current station blackout requirements residing in 10 CFR 50.63 with the new requirements is viewed by the NRC as aligning the regulations with the implementation of these requirements at the plant level.” Question 1 on page 37 requests feedback from external stakeholders on whether the agency should consider a broader rule that combines the current 10 CFR 50.54(hh)(2) and 10 CFR 50.63 with the proposed rule into a single regulatory framework.

The PWROG recommends that these regulations remain separate and distinct. 10 CFR 50.54(hh) addresses a very specific security related event, and therefore should not be included with a new regulation that addresses an ELAP. However, providing a link to the new ELAP regulation in 10 CFR 50.63 is appropriate and acceptable.

The regulations should prescribe an end goal or objective, and not the method or means for achieving that objective. Linking the regulations in the manner that the Staff proposes could easily result in future elimination of more effective or efficient strategies for achieving the same objective.

The PWROG agrees that a recognized method for change control needs to be established to ensure that no inappropriate regulatory burden will be placed on licensees, however any approach would depend on the regulatory framework proposed for the new regulation.

RulemakingComments Resource

From: Holderbaum, Chad M. [HolderCM@westinghouse.com]
Sent: Friday, May 24, 2013 11:14 AM
To: RulemakingComments Resource; Rowley, Jonathan; Gallagher, Carol
Cc: Andrachek, James D; Robert.Slough@luminant.com; Tosatto, Lauren A.; Boardman, Jay D.; Genutis, Laura L.; Holderbaum, Chad M.; Laubham, Thomas J.; Molkenthin, James P; Tosatto, Lauren A.; Vavrek, Jordan I.; Zachariah Jr., Thomas; Nowinowski, W.Anthony; Stringfellow, N. Jack (SouthernCo); roy.linthicum@exeloncorp.com; Peter.J.Dellarco@dom.com; kurt.flaig@dom.com; Olinski, Dewey C.; jeff.thomas@duke-energy.com; Smith, James D; Moorehead, John D.; Gresham, James A.; 'hlhegrat@firstenergycorp.com'; 'GUSTAFSON, OTTO W'; Morris, James; Lutz, Robert J.; BAUER, Scott
Subject: PWROG Station Blackout Mitigation Strategies; Draft Regulatory Basis and Draft Rule Concepts; Request for Comment
Attachments: OG-13-204.pdf

Jonathan,

Per our conversation this morning, please see attached for the PWROG comments on Station Blackout Mitigation Strategies; Draft Regulatory Basis and Draft Rule Concepts.

Reference - Docket ID NRC–2012–0299; 10 CFR Parts 50 & 52, Station Blackout Mitigation Strategies; Draft Regulatory Basis and Draft Rule Concepts; Request for Comment (78 Fed. Reg. 69)

A hard copy of the attached letter will be mailed to the following address as directed by the FRN.

Nuclear Regulatory Commission
Secretary, U.S.
Washington, DC 20555–0001
ATTN: Rulemakings and Adjudications Staff

Can you please make sure that our comments make it into the appropriate hands? Have a great holiday weekend.

Regards,
Chad

Chad Holderbaum
Project Manager

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RulemakingComments Resource

From: Gallagher, Carol
Sent: Friday, May 24, 2013 11:35 AM
To: RulemakingComments Resource
Cc: Rowley, Jonathan
Subject: FW: PWROG Station Blackout Mitigation Strategies; Draft Regulatory Basis and Draft Rule Concepts; Request for Comment
Attachments: OG-13-204.pdf

I'm forwarding this e-mail because it contains a comment on 3150-AJ08, Station Blackout Mitigation Strategies (78 FR 21275; April 10, 2013). As noted in the e-mail, a hard copy will be mailed to SECY. Please note: the docket ID on this comment should be NRC-2011-0299, not NRC-2012-0299.

Thanks,
Carol

From: Holderbaum, Chad M. [<mailto:HolderCM@westinghouse.com>]
Sent: Friday, May 24, 2013 11:14 AM
To: RulemakingComments Resource; Rowley, Jonathan; Gallagher, Carol
Cc: Andrachek, James D; Robert.Slough@luminant.com; Tosatto, Lauren A.; Boardman, Jay D.; Genutis, Laura L.; Holderbaum, Chad M.; Laubham, Thomas J.; Molkenthin, James P; Tosatto, Lauren A.; Vavrek, Jordan I.; Zachariah Jr., Thomas; Nowinowski, W.Anthony; Stringfellow, N. Jack (SouthernCo); roy.linthicum@exeloncorp.com; Peter.J.Dellarco@dom.com; kurt.flaiq@dom.com; Olinski, Dewey C.; jeff.thomas@duke-energy.com; Smith, James D; Moorehead, John D.; Gresham, James A.; 'hlhegrat@firstenergycorp.com'; 'GUSTAFSON, OTTO W'; Morris, James; Lutz, Robert J.; BAUER, Scott
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Chad

Chad Holderbaum
Project Manager

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